

APR. 7. 2004 2:31PM BST&Z - CM

Appl. No. 09/473,575
Amtd. dated April 7, 2004
Reply to Office Action of February 12, 2004

NO. 1224 P. 6

4/13/4
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APR 07 2004

#16 88
AMH/c

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/473,575	Confirmation No. 1163
Applicant	:	Darrell D. Boggs	
Filed	:	12/28/1999	
TC/A.U.	:	2127	
Examiner	:	VO, LILLIAN	
Docket No.	:	042390.P6871	
Customer No.	:	8791	

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of February 12, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Docket No: 042390.P6871

Page 1 of 10

JAH/phs

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (408) 947-8200

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (408) 947-8280

OFFICIAL**FACSIMILE COVER SHEET****RECEIVED
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APR 07 2004

Deliver to: Lilian Vo, USPTO Art Group: 2127
 Facsimile No.: 703 872-9306 Date: April 7, 2004
 From: James Henry, Reg. No. 41,064
 Our Docket No.: 42390P6871 Number of pages 14, including this sheet.
 Application No.: 09/473,575 Filing Date: 12/28/1999
 Docket Due Date(s): 5/12/2004

Enclosed are the following documents:

- Amendment: Response (10 pgs)
- Appeal Brief (in triplicate) (_____ pgs)
- Application: _____
(_____ pgs) w/cover & abstract)
- Assignment & Cover Sheet (_____ pgs)
- Certificate of Facsimile _____
- Continued Prosecution Application (CPA)
- Declaration & POA (_____ pgs)
- Drawings: _____ sheets, _____ figures
- Extension of Time: _____
- Fee Transmittal (in duplicate)
- IDS & PTO/SB/08 (_____ pgs)
- Other _____

- Issue Fee Transmittal
- Notice of Appeal
- Petition for: _____
- Request for Continued Examination (RCE)
- Reply Brief (_____ pgs)
- Request & Certification Under 35 USC 122(b)(2)(B)(i)
- Request to Rescind Previous Nonpublication Request
- Response to Notice of Missing Parts & Formalities Letter
- Response to Written Opinion (_____ pgs)
- Terminal Disclaimer
- Transmittal of Publication Fee Due
- Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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04/7/2004

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Date

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (408) 947-8200

**INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025**

FACSIMILE: (408) 947-8280

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Deliver to: Lilian Vo, USPTO Art Group: 2127
Facsimile No.: 703 746-7239 Date: April 7, 2004
From: James Henry, Reg. No. 41,064
Our Docket No.: 42390P6871 Number of pages 14 including this sheet.
Application No.: 09/473,575 Filing Date: 12/28/1999
Docket Due Date(s): 5/12/2004

Enclosed are the following documents:

- | | |
|--|--|
| <ul style="list-style-type: none"><input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>10</u> pgs)<input type="checkbox"/> Appeal Brief (in triplicate) (_____ pgs)<input type="checkbox"/> Application: _____
 (_____ pgs) w/cover & abstract)<input type="checkbox"/> Assignment & Cover Sheet (_____ pgs)<input checked="" type="checkbox"/> Certificate of Facsimile _____<input type="checkbox"/> Continued Prosecution Application (CPA)<input type="checkbox"/> Declaration & POA (_____ pgs)<input type="checkbox"/> Drawings: _____ sheets, _____ figures<input type="checkbox"/> Extension of Time: _____<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)<input type="checkbox"/> IDS & PTO/SB/08 (pgs)<input type="checkbox"/> Other _____ | <ul style="list-style-type: none"><input type="checkbox"/> Issue Fee Transmittal<input type="checkbox"/> Notice of Appeal<input type="checkbox"/> Petition for: _____<input type="checkbox"/> Request for Continued Examination (RCE)<input type="checkbox"/> Reply Brief (_____ pgs)<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)<input type="checkbox"/> Request to Rescind Previous Nonpublication Request<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter<input type="checkbox"/> Response to Written Opinion (_____ pgs)<input type="checkbox"/> Terminal Disclaimer<input type="checkbox"/> Transmittal of Publication Fee Due<input checked="" type="checkbox"/> Transmittal Letter |
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#16

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	09/473,575
		Filing Date	December 28, 1999
		First Named Inventor	Darrell D. Boggs
		Art Unit	2127
		Examiner Name	Lilian Vo
Total Number of Pages in This Submission	14	Attorney Docket Number	42390P6871

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Facsimile Transmittal Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James Henry, Reg. No. 41,064 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 7, 2004

CERTIFICATE OF MAILING/TRANSMISSION

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Typed or printed name	Pat Sullivan
Signature	
Date	April 7, 2004

Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (twr) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

#16

FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known	
Application Number	09/473,575
Filing Date	December 28, 1999
First Named Inventor	Darrell D. Boggs
Examiner Name	Lilian Vo
Art Unit	2127
Attorney Docket No.	42390P6871

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account
Deposit Account Number **02-2666**Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	770	2001	855 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	265 Plant filing fee
1004	770	2004	365 Reissue filing fee
1005	180	2005	80 Provisional filing fee
SUBTOTAL (1)		(\$)	

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	21	83*	0 X 18.00 = \$0.00
Multiple Dependent	3	7*	0 X 86.00 = \$0.00
			=

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple Dependent claim, if not paid
1204	86	2204 43 **Reissue independent claims over original patent
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)

*or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	180	2051 65 Surcharge - late filing fee or cash	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
2063	180	2063 180 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1806	1,840*	1806 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	960	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	1,210	2255 605 Extension for reply within fifth month	
1404	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,610	2451 1,510 Petition to institute a public use proceeding	
1452	110	2452 65 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1460	180	2480 130 Petition to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1808	180	1808 180 Submission of Information Disclosure Stmt	
8021	40	8021 .40 Recording each patent assignment per property (times number of properties)	
1809	770	1809 385 Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.128(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	600	1802 900 Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Best Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Name (Print/Type)	James Henry	Registration No. (Attorney/Agent)	41,064	Telephone	(408) 947-8200
Signature				Date	04/07/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (W) 02/10/2004.
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